

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ELAINE L. CHAO, Secretary of Labor,
UNITED STATES DEPARTMENT OF
LABOR,

No. C 06-06429 JSW

Plaintiff,

v.

NETACTIVE CORPORATION and
NETACTIVE 401(k) PLAN,

Defendants.

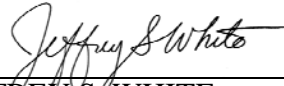
**ORDER SETTING BRIEFING
SCHEDULE ON MOTION FOR
ORDER WITHDRAWING
SEPARATE PROOF OF SERVICE
AND DEEMING SERVICE
EFFECTIVE**

This matter is set for a hearing on March 9, 2007 on Plaintiff's motion for an order withdrawing separate proof of service for defendant NetActive 401(k) Plan and deeming service on defendant NetActive 401(k) Plan effective. The Court HEREBY ORDERS that any opposition to the motion shall be filed by no later than February 9, 2007 and any reply brief shall be filed by no later than February 16, 2007.

If the Court determines that the matter is suitable for resolution without oral argument, it will so advise the parties in advance of the hearing date. If the parties wish to modify this schedule, they may submit for the Court's consideration a stipulation and proposed order demonstrating good cause for any modification requested.

IT IS SO ORDERED.

Dated: January 24, 2007



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE